

REMARKS

In this paper, claims 10 and 51 are currently amended. After entry of the above amendment, claims 10, 12-14, 16-19, 22-24 26-48 and 50-53 are pending, and claims 1-9, 11, 15, 20-21, 25 and 49 have been canceled.

An Information Disclosure Statement (IDS) accompanies this amendment. If the IDS is not in the PTO file when the examiner considers this amendment, the examiner is encouraged to contact the undersigned so that a duplicate copy may be provided.

The applicant appreciates the allowance of claims 12, 13, 16, 17, 19, 22-24, 26-48 and 50.

Claims 10, 14 and 18 were rejected under 35 U.S.C. §112 as being indefinite. Claim 10 has been amended to clarify that a rear wheel of the bicycle is intended.

Claims 10, 14, 18 and 51-53 were rejected under 35 U.S.C. §102(b) as being anticipated by Swensen (US 3,184,993). This basis for rejection is respectfully traversed.

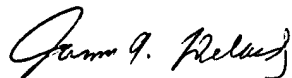
Claims 10 and 51 have been amended to clarify that the mounting opening in the motor mounting bracket portion faces upwardly. Swensen discloses a derailleur guard (2) with a side portion (5) for protecting a derailleur (A). Insofar as the side portion (5) is interpreted to be a motor mounting bracket portion, it does not include a mounting opening that faces upwardly when the derailleur guard (2) is mounted to the bicycle. The mounting opening (6b) referenced in the office action faces sideways when the derailleur guard (2) is mounted to the bicycle. Accordingly, Swensen neither discloses nor suggests the presently claimed subject matter.

Accordingly, it is believed that the rejections under 35 U.S.C. §102 and §112 have been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance. Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

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PATENT

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James A. Deland".

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